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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,423	04/19/2000	Ravishankar Rao	YOR-9-2000-0133-US1	2841

7590 06/02/2004  
Thomas A. Beck  
26 Rockledge Lane  
New Milford, CT 06776

EXAMINER
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KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 06/02/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/552,423

Applicant(s)

RAO ET AL.

Examiner

Srilakshmi K. Kumar

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 10-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 10-13 is/are allowed.
- 6) ☒ Claim(s) 14 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

The following is in response to Amendment D, filed March 15, 2004. Claims 1, 10-14 and 16 are pending. Claims 1, 10-13 have been amended.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 14 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Ilbery et al (US 6,476,934).

As to independent claim 14, a method for processing at least a portion of an image, the method comprising employing a first rule of halftoning, a second rule of halftoning and a third rule of halftoning. Ilbery et al disclose these different rules in col. 18, lines 63-68, col. 19, lines 1-68, col. 20, lines 1-68, col. 21, lines 1-68. It is advantageous to use the halftoning system as shown by Ilbery et al, as scanned images which include text and images, would enhance the output and provide a clear grayscale image.

As to dependent claim 16, limitations of claim 14, and further comprising, an article of manufacture comprising a computer usable medium having computer readable program means embodied therein for causing processing at least a portion of an image, and to be able to effect the steps defined in claim 14. Although Ilbery et al do not state an article of manufacture

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comprising a computer usable medium, it is inherent to one skilled in the art that Ilbery et al disclose a computer and software to perform the processing of an image.

***Allowable Subject Matter***

3. Claims 1, 10-13 are allowed.

***Response to Arguments***

4. Applicant's arguments filed March 15, 2003 have been fully considered but they are not persuasive.

As shown in rejection above, Ilbery et al disclose in col. 18, lines 63-68, col. 19, lines 1-68, col. 20, lines 1-68, col. 21, lines 1-68, different rules for using halftoning in three different embodiments of Ilbery et al. Therefore, claim 14 remains rejected.

5. Applicant's arguments, see Amendment D, filed March 15, 2004, with respect to claims 1, 10-13 have been fully considered and are persuasive. The rejection of claims 1, 10-13 have been withdrawn.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Srilakshmi K. Kumar** whose telephone number is (703) 306 5575.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Saras, can be reached at (703) 305-9720.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

**or faxed to:**


**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703 305 47000377.

Srilakshmi K. Kumar  
Examiner  
Art Unit 2675

SKK  
May 29, 2004



DENNIS-DOON CHOW  
PRIMARY EXAMINER